



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/849,122	05/04/2001	Donald E. Ackley	264/037	1952
34263	7590	12/29/2005	EXAMINER	
O'MELVENY & MYERS LLP 610 NEWPORT CENTER DRIVE 17TH FLOOR NEWPORT BEACH, CA 92660			BRUSCA, JOHN S	
		ART UNIT	PAPER NUMBER	
		1631		

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER

ART UNIT      PAPER

20051223

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The reply filed on 07 October 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The applicants have amended the listing of the claims by withdrawing claims 26-41. There is no provision in Office policy in the MPEP allowing for applicants to withdraw claims. If desired, the applicants have the right to cancel any pending claim. It is unclear whether the applicants intended to cancel claims 26-41. The applicants are requested to respond to this letter with a complete listing of the claims in compliance with 37 CFR 1.121. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

*John S. Brusca 23 December 2005*

John S. Brusca  
Primary Examiner  
Art Unit: 1631